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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/557,296	11/18/2005	Ryozo Setoguchi .	108A 3788 PCT	7327

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EXAMINER

CHU, DAVID H

ART UNIT	PAPER NUMBER
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2628

MAIL DATE	DELIVERY MODE
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07/24/2007

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/557,296

Applicant(s)

SETOGUCHI., RYOZO

Examiner

David H. Chu

Art Unit

2628

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 11 October 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 8-14 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 8-14 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 18 November 2005 is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 112

1. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

2. The claims are generally narrative and indefinite, failing to conform with current U.S. practice. They appear to be a literal translation into English from a foreign document and are replete with grammatical and idiomatic errors.

3. Note with respect to line 6-8 of claim 8,

The limitation "***specifying a tangent line at position where an equivalent normal line with a new tangent plane between two corresponding vertexes and in a direction which is concerned with corresponding vertexes***" is not clear. However, for the purpose of the rejection, the Examiner interprets the limitation as, "***setting an extra tangent line at a point between said two corresponding vertexes.***"

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

5. **Claims 8-14 are rejected under 35 U.S.C. 102(b) as being anticipated by Sasaki (PGPUB Document No. US 2002/0005856).**

6. Note with respect to claim 8,

Sasaki teaches:

A method for generating/displaying a plane shape, comprising the steps of:

- Setting an equivalent normal line with a tangent plane in each vertex of a polygonal shape plane patch which is a basic form necessary for generating/displaying a shape
- Setting a tangent line by decomposing said set normal line in a predetermined direction on an equivalent tangent plane
- Specifying a tangent line at position where an equivalent normal line with a new tangent plane between two corresponding vertexes and in a direction which is concerned with corresponding vertexes

[Sasaki teaches using normal vectors $n1$ and $n2$ at vertices $P1$ and $P2$ and a plane A

perpendicular to the normal vectors to create a tangent vector B . Further, Sasaki teaches splitting

the interval between vertices P1 and P2]

[Sasaki, 0126, 0129]

7. Note with respect to claim 12,

Sasaki teaches:

The method for generating/displaying a plane shape according to claim 8,

- Wherein vertexes on which a predetermined normal line exists are combined until a required shape generating/displaying accuracy is reached
- A normal line existing at each predetermined vertex is decomposed on an equivalent tangent surface
- Steps of specifying a normal line at a position where a normal line equivalent with a new tangent plane between two vertexes is set and in a direction which is concerned with two corresponding vertexes is repeated
- Thus generating and displaying a shape of desire

[Sasaki teaches splitting the interval between vertices P1 and P2 and applying the same method to better create the desired shape]

[Sasaki, 0150-0152]

8. Note with respect to claim 9,

Sasaki Teaches:

A method for generating/displaying a plane shape,

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- Said method setting, at a specified position, an equivalent normal line with a tangent plane based on a predetermined normal line and on a specified position and tangent line information

[As discussed above, Sasaki teaches splitting the interval between vertices P1 and P2. The point at which the interval is split is the position information. Further, as discussed above, Sasaki teaches applying the same method at the point where the interval is split]

9. Note with respect to claim 10,

Sasaki Teaches:

A method for generating/displaying a plane shape,

- Said method setting, at a specified position, an equivalent normal line with a tangent plane based on a predetermined normal line and on a specified position information

*[The address of the point splitting the interval between vertices P1 and p2 is the **position information**, as recited by the applicant]*

10. Note with respect to claims 11, 13 and 14, claims 11, 13 and 14 are similar in scope to the claims 8 and 12, thus the rejections to claims 8 and 12 hereinabove are also applicable to claims 11, 13 and 14.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to David H. Chu whose telephone number is (571) 272-8079. The examiner can normally be reached on M-TH 9:00am - 7:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mark k. Zimmerman can be reached on (571) 272-7653. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

DHC



MARK ZIMMERMAN
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